

Supreme Court of Kentucky

RE: Establishment of Kentucky Access to Justice Commission

ORDER

(A) Purpose. The Kentucky Access to Justice Commission (KAJC) is created in recognition of the need to expand access to civil legal representation for people of low income and modest means in Kentucky.

(B) Authority. Section 109 of the Kentucky Constitution establishes the Court of Justice, and Section 110 vests in the Chief Justice the duty and responsibility to perform all necessary administrative functions relating to the courts of this Commonwealth. Section 14 of the Kentucky Constitution further ensures open and speedy access to our court system.

(C) Membership. The KAJC will consist of twenty-five appointed members and five ex-officio members. The Chief Justice or designee will serve as interim Chair of the Commission until a permanent Chair is selected by the voting members. Members will serve three-year terms at the discretion of the Chief Justice. Each member will serve an initial staggered term, which will be from one to three years. The initial term for each member will be designated at the time of appointment. Members will be appointed as follows:

(1) Voting members:

- (a) Two members appointed by the Chief Justice from each of the seven Kentucky Supreme Court districts;
- (b) Four judges or justices selected by the Chief Justice to represent each of the four divisions of the Kentucky Court of Justice. No more than two of these representatives may be a retired or senior judge or justice;
- (c) One Circuit Court Clerk appointed by the Chief Justice;
- (d) One representative from the Kentucky Bar Association's Board of Governors appointed by the President of the KBA;
- (e) One representative from the four Kentucky civil legal aid programs, to be chosen by that group collectively;
- (f) The Governor of Kentucky or a representative appointed by the Governor;
- (g) The Speaker of the House or a member of the Kentucky House of Representatives appointed by the Speaker of the House;
- (h) The President of the Senate or a member of the Kentucky Senate appointed by the President of the Senate; and
- (i) The Kentucky State Law Librarian.

(2) Ex officio members: In addition to the twenty-five voting members of the Commission, five non-voting ex-officio members will be designated from each of the following organizations to serve three-year terms:

- (a) One individual collectively representing the three law schools in Kentucky, serving on a rotating basis each term;

(b) A representative of the Kentucky Sheriff's Association, to be appointed by the President of the Association;

(c) The Director, or designee, of the Administrative Office of the Courts;

(d) The President, or designee, of the Kentucky Justice Association; and

(e) The President, or designee, of the Kentucky Defense Counsel.

(3) Vacancies. The KAJC will immediately notify the Supreme Court of any vacancy on the Commission. A replacement member will be appointed to serve the remainder of any unexpired term.

(D) Responsibilities. The KAJC is charged with the following goals, purposes, and responsibilities:

(1) Identify the current and future needs of the legal services community in providing access to justice to the poor and financially disadvantaged in Kentucky;

(2) Develop and establish a strategic statewide plan for delivery of legal services to the poor and financially disadvantaged in Kentucky;

(3) Develop strategies and ideas to increase resources and funding for access to justice in civil legal matters and to make recommendations to appropriate entities to ensure that the resources and funding are applied to the areas and organizations of greater need;

(4) Work to improve funding, resources, support, development, and delivery of civil legal services to low income people;

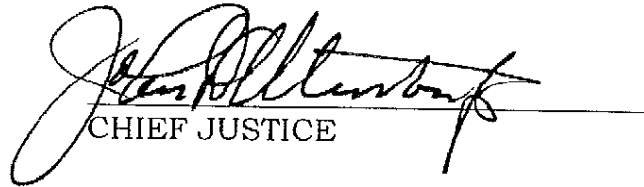
- (5) Assist in access to justice through self-representation and use of volunteer lawyers;
- (6) Expand the delivery, support, and development of civil legal aid through development of committed government leaders, and increase public education on civil legal aid matters and its impact on society;
- (7) Work to reduce barriers to the justice system by addressing existing proposed court rules, procedures, and policies that affect access to justice for poor Kentuckians;
- (8) Monitor and evaluate the effectiveness of the statewide system and service providers and periodically evaluate the progress made in fulfilling their respective responsibilities; and
- (9) Be directly responsible to the Supreme Court for reporting and making recommendations concerning access to justice to the court system by persons in the Commonwealth of Kentucky.

(E) Bylaws. The KAJC shall establish its bylaws and other internal operating procedures pertinent to its responsibilities and may appoint committees to assist its work. The bylaws of the Commission must be approved by the Supreme Court. All offices, if any, shall be established by the Commission's by-laws.

(F) Review. The Commission will submit an annual written summary report to the Supreme Court, subject to more frequent reporting as required by the

Supreme Court or the Commission's by-laws. The Supreme Court will review and evaluate the work of the Commission no later than January 1, 2013.

SO ORDERED this 14th day of October, 2010.


CHIEF JUSTICE